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GRAY CARY GT

NO. 960 P.5/18

PATENT
Attorney Docket No.: JHU1400-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900
Applicant: Harry C. Dietz
Application No.: 09/163,289
Filed: September 29, 1998
Title: DELIVERY CONSTRUCT FOR ANTISENSE NUCLEIC ACIDS
AND METHODS OF USE

Commissioner for Patents
Washington, D.C. 20231

RESPONSE

Sir:

Responsive to the Office Action mailed July 30, 2002 (Paper No. 24), please consider the following amendments and remarks.

In the Claims:

Please enter the following rewritten claims:

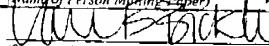
1. (Three times amended) A nucleic acid construct for suppressing gene expression comprising in 5' to 3' orientation:
 - a 5' stem loop structure;
 - an antisense nucleic acid; and
 - a 3' stem loop structure, wherein the antisense nucleic acid is capable of having activity and is flanked by the stem loop structures and with the proviso that the antisense nucleic acid is not within the 5' or 3' stem loop structures.
2. (Twice Amended) The nucleic acid construct of claim 1, wherein the stem loop structures are U snRNA structures.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, December 30, 2002, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Carrie E. Bickle

(Name of Person Mailing Paper)



December 30, 2002

(Date)

Gray Cary/GT/6323352
104659-157060